

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

**IN RE: REALPAGE, INC., RENTAL  
SOFTWARE ANTITRUST LITIGATION (NO.  
II)**

**Case No. 3:23-md-3071-WDC-BDH  
MDL 3071**

**This document relates to:  
ALL ACTIONS**

**Chief Judge Waverly D. Crenshaw,  
Jr.**

**Magistrate Judge Barbara D. Holmes**

**STIPULATION AND [PROPOSED] ORDER SETTING BRIEFING SCHEDULE FOR  
APPOINTMENT OF INTERIM LEAD COUNSEL PURSUANT TO FED. R. CIV. P. 23(g)**

WHEREAS, on April 10, 2023, the Judicial Panel on Multidistrict Litigation (“JPML”) centralized actions challenging a contract, combination, and conspiracy among lessors of multifamily and student residential real estate leases and RealPage, Inc. (“RealPage”), to exchange commercially sensitive information and coordinate prices and supply for rental units across the United States;

WHEREAS, on April 19, 2023, the Court issued an Order, amongst other matters: (i) scheduling an Initial Status Conference for May 31, 2023; (ii) setting a deadline of May 24, 2023, for the parties to submit joint statements on case progression and scheduling; and (iii) ordering that if a group of parties wish to propose a person or persons for consideration as plaintiffs’ lead counsel, and/or as members on plaintiffs’ steering committee or as liaison counsel, the parties shall submit a short summary of the nominee’s qualifications in relation to the factors enumerated in the Order under seal (“Leadership Applications”) (ECF No. 3, “April 19 Order”);

WHEREAS, Plaintiffs with actions filed to date respectfully submit that it would be efficient to establish an agreed-upon procedure for any competing motions for the appointment of plaintiffs' lead counsel, plaintiffs' steering committee and/or plaintiffs' liaison counsel pursuant to the April 19 Order in advance of the joint statement set to be filed by May 24, 2023;

WHEREAS, Plaintiffs believe that non-confidential information contained within Leadership Applications may be appropriately filed on the public docket so that class members and the public can understand the basis for the Court's ultimate appointments;

WHEREAS, Defendants take no position on Plaintiffs' stipulation;

**IT IS HEREBY STIPULATED AND AGREED**, by Plaintiffs, subject to the Court's approval, that:

1. Any Plaintiff Leadership Application(s) shall be filed with the Court no later than May 5, 2023;
2. Portions of Plaintiff Leadership Applications without confidential information may be filed without sealing, and may include supporting documents as exhibits if warranted (e.g., copies of firm resumes, supporting declarations); and
3. Unless otherwise ordered by the Court, this Order shall apply to any action filed in, transferred to, or removed to this Court, which relates to the subject matter at issue in the Actions.

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### **CERTIFICATE OF SERVICE**

I hereby certify that on April 26, 2023, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to those attorneys of record registered on the CM/ECF system. All other parties (if any) shall be served in accordance with the Federal Rules of Civil Procedure.

DATED this 26th day of April, 2023.

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